

September 26, 2007

Mr. Charlie Michels, Executive Director  
Professional Standards Board  
Townsend Building  
401 Federal Street  
Dover, DE 19901

RE: 11 DE Reg. 255 [Early Childhood Teacher Certification Regulations]

Dear Mr. Michels:

The State Council for Persons with Disabilities (SCPD) has reviewed the Professional Standards Board's [in collaboration with the Department of Education (DOE)], proposal to adopt "Early Childhood Teacher" certification standards. The regulations were published as 11 DE Reg. 255 in the September 1, 2007 issue of the Register of Regulations. The rationale is as follows: "It is necessary to amend this regulation given that the existing regulation reverted to 14 DE Admin. Code 1505 Standard Certificate in June of 2006". SCPD has the following observations.

First, the attached current version of the "Early Childhood Teacher" regulation does include the following provision:

#### 4.0 Applicability

This regulation shall be effective through June 30, 2006 only. Applicants who apply for a standard certificate as an Early Childhood Teacher after that date must comply with the requirements set forth in 14 DE Admin. Code 1505.

Section 1505 is the general "Standard Certificate" regulation. In effect, someone applying for Early Childhood Teacher certification after June 30, 2006 would only have to meet the general requirements of a Standard Certificate. Therefore, assuming it is appropriate to have an "Early Childhood Teacher" regulation, the Department should adopt revised standards.

Second, §4.1 contemplates that a renewal applicant for an "Early Childhood Teacher" certification complete 15 credits in Early Childhood Education "selected by the applicant with the approval of the employing school district or charter school which is submitted to the Department." This categorical requirement is inconsistent with other DOE regulations which authorize an unemployed applicant to obtain certification. See, e.g., 14 DE Admin Code 1505 (Standard Certificate) and 14 DE Admin Code 1521 (Elementary Teacher), both of which define "Certification" as follows:

“Certification” means the issuance of a certificate, which may occur regardless of a recipient’s assignment or employment status.

In contrast, the proposed regulation imposes course requirements which require the applicant to have a current or prospective employer who has approved the applicant’s choice of courses.

Third, the Governor’s Advisory Council for Exceptional Citizens (GACEC) received the following information from DOE:

“Only a few districts actually have prekindergarten classes for children without disabilities. There is no state regulation that requires them to have certified teachers in those classrooms. Where districts have “regular” prekindergarten, most of these classes are supported by state prekindergarten funds. The regulation for state prekindergarten only requires a teacher with a Child Development Associate credential at a minimum, though encourages teachers with Associate’s Degrees, preferably in early childhood education.”

Given this information, there is some “tension” between having an early childhood teacher certification covering students from birth onward and the absence of a regulation requiring such credentials for prekindergarten instructors. Therefore, SCPD endorses the concept of the early childhood teacher certification, but recommends that the DOE issue a regulation which would eventually require such instructor certification in prekindergarten programs.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulations.

Sincerely,

Daniese McMullin-Powell, Chairperson  
State Council for Persons with Disabilities

cc: The Honorable Valerie Woodruff  
Ms. Jean Allen  
Ms. Martha Toomey  
Ms. Paula Fontello, Esq.  
Ms. Mary Cooke, Esq.  
Ms Jennifer Kline, Esq.  
Ms. Susan Haberstroh  
Developmental Disabilities Council  
Governor’s Advisory Council for Exceptional Citizens